

Medway Council
Meeting of Regeneration, Community and Culture
Overview and Scrutiny Committee

Tuesday, 4 October 2011

6.32pm to 8.55pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

- Present:** Councillors: Bright (Chairman), Griffiths, Adrian Gulvin, Hicks (Vice-Chairman), Hubbard, Juby, Maisey, Osborne and Stamp
- Substitutes:** Councillor Clarke for Councillor Griffin
Councillor Pat Gulvin for Councillor Etheridge
Councillor Tolhurst for Councillor Mackinlay
- In Attendance:** Caroline Allen, Lodge Hill Planning and Project Manager
Stephen Gaimster, Assistant Director Development, Economy and Transport
Brian McCutcheon, Planning Policy and Design Manager
Andy McGrath, Assistant Director, Front Line Services
Martin McKay, Design and Conservation Manager
Martin Morris, Traffic Management Manager
Caroline Salisbury, Democratic Services Officer
Ian Wilson, Head of Capital Projects, Road Safety and Networks

379 Record of meeting

The record of the meeting held on 10 August 2011 was agreed and signed by the Chairman as correct.

380 Apologies for absence

Apologies for absence were received from Councillors Etheridge, Griffin, Mackinlay and Turpin.

381 Urgent matters by reason of special circumstances

There were none.

382 Declarations of interest

Councillor Clarke declared a personal interest in Agenda item 6 (Local Development Framework – Draft Core Strategy), as he is a Council appointed Member on the Rochester Airport Consultative Committee.

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Councillor Adrian Gulvin declared a personal interest to any reference to Kent Fire & Rescue Service, as he is a Council appointed Member on the Kent & Medway Towns Fire Authority.

Councillor Griffiths declared a personal interest in Agenda item 6 (Local Development Framework – Draft Core Strategy) as he is a Council appointed Member on the Rochester Riverside Project Board and Chatham Maritime Charitable Trust Ltd. He also declared a personal interest to any reference to Medway Community Healthcare, as he is a non-executive director.

383 Member's Item: water meter replacement and pavement re-surfacing

Decision:

Councillor Griffiths introduced the item as he had asked that a report on this issue was included on the agenda and advised that he wanted to consider this as a matter of 'value for money' for the council and taxpayers. He explained that the issue was about pavements being re-surfaced by the council and then, a very short time period later, being dug up by a utility company (in the specific case he had raised, this was for water meter installation by Southern Water) and the replacement surface material was being poorly, or temporarily, repaired and left in an unacceptable state. He asked whether an agreement or policy could be set in place so that the situation did not happen again in the future.

Officers responded that Southern Water's meter replacement programme would run until 2015 and the company must notify the council of their intent, except in emergency cases. Officers accepted that they should learn from the situation that had occurred and were currently improving internal communications between various teams within the council, together with better communication with Southern Water.

The committee was also advised that officers were looking into the possibility of implementing a permit scheme for utility works in Medway. Following initial research it had emerged that a number of other Local Authorities were also looking into this, or had recently implemented a similar scheme. The committee was offered the opportunity of considering a report setting out the options for a permit scheme for utility works in the future.

Members discussed poor quality patching and replacement of pavement and highway works around Medway and asked what powers the council had to enforce the company involved to replace these to a higher quality finish. Officers responded that the officer responsible checked 10% of finished works by a 'coring' method to test the quality. If the finished product passed the test, the council paid to replace the 'cored' section. However, if the product failed the test, the utility company was fined and had to reinstate the site to the correct quality. If the 'cored' samples reached a high level of failure, the officer would check a higher percentage of the finished works.

The council would not be able to continue 'coring' work with the current resources and would need to look at this becoming a self-financing function.

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Officers also indicated that they would welcome any intelligence from Councillors about poorly patched or replaced sites in Medway.

The committee also discussed the problems of finding suitable replacement block paving or slabs in certain areas of Medway, particularly with regard to colour matching of products. Officers responded that most replacement work involved tarmac but where it involved specific materials, the council might have a small supply of replacement material or that it was now installed using 'off the shelf' products that were easily obtainable by contractors.

Councillor Griffiths summarised that the committee requested officer agreement to the principle that, unless for issues of health and safety or a real emergency, in this instance the council does not re-surface a pavement until water meters had been installed first. The Assistant Director, Front Line Services responded that he would re-enforce this point with the Highways team and would be clear that a pavement would only be re-surfaced where there was a clear need to do so.

Decision:

The committee agreed to:

- (a) note Members' concerns of the poor quality of some of the pavement and highway re-instatements and officers' responses to this issue;
- (b) request officers to make the necessary amendments to the pavement re-surfacing programme to ensure that Southern Water water meters are installed first, except where issues of health and safety or a real emergency made it necessary;
- (c) add a future report to the work programme on a Street Works Permit Scheme including options for financing the scheme.

384 Local Development Framework - Draft Core Strategy

Discussion:

The Planning Policy and Design Manager introduced the report advising that the six week public consultation period, approved by the Cabinet in August, ran until 14 October 2011. The consultation did not ask for strategic options within the plan (this had been at an earlier stage) but was to test the soundness of what was proposed and to refine the draft document.

The committee was informed that this was an overarching strategic document, with the detail being reserved for subsequent development plan documents but would nevertheless provide a framework for all major planning decisions.

It was recognised that the government had published a draft national planning policy framework, which emphasised the importance of having an up-to-date Local Plan or Local Development Framework. The Planning Policy and Design

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Manager advised that it was intended to submit the Core Strategy as soon as possible so that such a plan was in place to control speculative development, especially on Greenfield sites.

Members congratulated officers for this comprehensive and wide-ranging draft strategy and the work that had been undertaken in the preparation of the documentation. The subsequent questions were responded to as follows:

- paragraph 4.22 – water supply in Medway
Medway being one of the driest parts of a water-stressed region in the country, are officers certain that the proposed new developments can be supplied with the necessary water provision?

Officers responded that they had held detailed discussions with Southern Water and the Environment Agency and had received all the assurances they could reasonably expect. In policy terms, apart from the installation of water meters, a lot would depend on what happened elsewhere in the region.

- paragraph 4.30 – waste heat from the new coal power station at Kingsnorth
was the thermodynamic information reliable?

After the planning application for the power station had been submitted, two feasibility studies looking at the potential for district heating were produced by Eon. These indicated the potential for the equivalent of heating potential for 100,000 homes. This paragraph had been included in the strategy on the basis of those studies.

- Policy CS25 – River Medway – preservation of wharfs and port capacity
the council should identify the wharfs worth keeping and preserve them, especially with the large areas identified for housing development. Members were pleased to see reference to keeping the river and port as a working area.

Officers pointed out that all major wharfs were already protected and it was intended that this protection would be retained over the longer term.

- References to Rochester Airport/Airfield why are these defined separately in different places throughout the document?

Officers advised that the term 'airfield' was used to describe the locality, which included the airport. The term 'airport' was used to define the specific operational aviation facility. This was a long-term reference that had been used to avoid confusion.

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- Heritage assets referred to within the documentation does not contain any reference to the aviation history within Medway and would like a reference added where appropriate.

Officers agreed to consider this addition to the draft Core Strategy.

- Medway Means Business Programme, Members were unaware of this programme and asked how the council promoted this?

Officers responded that the council was working on a new economic development website which would be an easy way for businesses and prospective businesses to find out about this.

- Why was there no reference to restricting the number and concentration of hot food takeaways, as this was a particular request of the Planning Committee?

Officers responded that the Core Strategy was about strategic matters and was not site specific. They confirmed that they were aware of Members concern about takeaways and it was planned to produce a Supplementary Planning Document about this issue, when the resources were available to produce it. Otherwise, there would be a reference to this in a future Land Allocations document.

- Child assessment centres and children's homes, is there any reference to these within the document?

Officers responded that there was a promotional aspect for these facilities within the strategy but it would not be site specific. It was difficult to forecast ahead for the numbers and locations needed. Officers wanted to identify land to help these services but were dependent on the services providing the specific information and requirements.

- Page 117 – new housing in Gillingham, with regard to the figures for Gillingham (886 new units on large sites and 487 additional units on other sites), what level of detail has been considered to get to these numbers in such a densely populated, urban area with little green space?

Officers responded that superficially the figures for Gillingham might seem high but they comprised sites that had already been identified and had planning permission. There were no new allocations in the figures.

- Houseboats, there is no reference to this within the Core Strategy and the numbers were increasing and they should be considered.

Officers indicated that this matter would be dealt with in the forthcoming allocations document.

Decision:

The committee agreed to:

- (a) note the contents of the Local Development Framework: Draft Core Strategy;
- (b) note the comments from Members and officer responses and refer these to the Cabinet for consideration;
- (c) recommend that Cabinet proposes to Council the adoption of the Local Development Framework: Draft Core Strategy in due course.

385 Lodge Hill Development Brief

Discussion:

The Lodge Hill Planning and Project Manager introduced the report advising that the Development Brief expanded on Policy CS33 of the draft Core Strategy providing more detailed issues surrounding this site. Members were advised that the public consultation process ran until 14 October 2011 and would be revised and adopted ahead of the Core Strategy timetable. This was because the developer was keen to submit a planning application and the council would then have a Development Brief to consider the application against.

The committee was advised that, to date, only four written responses had been received but it was expected that more would arrive in the final week of the consultation period. Other responses had been verbal feedback from the series of public roadshows that had been held. The feedback had been mixed, with some people firmly against the development, mainly for transport and environmental concerns, in particular some woodland on the site. Expressions of support had been from Chattenden because of the health facilities, shops and transport links the development would bring to that area of Medway.

Members considered that the main issue for consideration was the transport links in and out of the site and were disappointed that the developer had not yet developed draft proposals for this, as it would be so important for the future success of the site and for Medway as a whole. Officers responded that the developer had moved on with the level of detail regarding transport links. A planning application was to be submitted soon and planners would have to be satisfied that the transport proposals at that stage complied with the standard of transport expected for the Lodge Hill site, as set out in the Development Brief.

Members questioned the anticipated creation of 5,000 jobs by the development of the site, stating that they thought this was a very high target. They asked what formula had been used to arrive at this figure? Officers responded that the figures were within the Economic Strategy for Medway where detailed work had been carried out around the capacity of the site and what it could deliver, which was evidence-based. It equated to producing one job per household as a minimum target.

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The committee agreed that whilst it was good to see these ambitious figures, they questioned whether these were realistic, especially in the current economic climate, and may also create a false aspiration. Officers accepted that it was an ambitious target this new community should consist of a mix of uses and the latest broadband provision would be provided throughout the site, which would encourage businesses to locate there. It was hoped that the Universities in Medway, which were reaching capacity on their current campus sites, would consider locating satellite buildings at Lodge Hill.

Members noted that the development of the site would involve a long construction period and that this could provide significant training opportunities for young people in Medway. Other large Council contracts included agreements for apprenticeships as part of the contract and Members hoped that the Lodge Hill development would take advantage of this type of opportunity as well.

The committee asked if the development provided any opportunity to improve transport elsewhere in Medway? Officers advised that improvements to town centre networks could only be requested from a developer where there was a definite, measurable impact to a town centre by the development. In studies so far, this had not been indicated but there would be a more detailed transport study carried out at a later stage and this would be considered at that time.

Decision:

The committee agreed to:

- (a) note the contents of the Lodge Hill Development Brief, currently out for public consultation;
- (b) recommend that the Cabinet agrees the Lodge Hill Development Brief subject to the outcome of consultation.

386 Interim Medway Housing Design Standards - Planning Guidance

Discussion:

The Design and Conservation Manager introduced the report advising that this planning guidance had been produced in response to the Planning Committee's concerns over the small size of dwellings and general amenities available to residents in these properties, especially the small size of the rooms. These guidelines were based on a London model, which had been well-researched and other Local Authorities were now adopting or considering adoption of these guidelines.

The response from developers was that the minimum standards were generous and could affect the viability of sites. They also wanted more lead-in time before the guidelines were used in Medway. Officers took these concerns into consideration and, although the guidelines did include an increase in the

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minimum area for flats and small houses, overall the council would not be asking for too much change from what is currently submitted by the developers.

The committee welcomed the housing design standards but indicated that the guidance should not be so flexible, as set out in paragraph 4.7 of the report. Members re-iterated their concern that although some housing was built with the intention of being 'starter homes', too often these eventually became family homes and anything that could be achieved to improve smaller dwelling standards was to be welcomed and introduced as soon as possible.

Members also considered that the option of flexibility in applying the interim standards might also place planning officers in a difficult position over the transparency and consistency of the flexibility negotiated between different developers and could cause problems in the future.

Some Members of the committee agreed that it would be difficult to justify the requirement of the guidance on sites where outline permission had already been granted but that the guidance should apply to all new applications.

Decision:

The committee agreed to recommend the Interim Medway Housing Design Standards – Planning Guidance to Cabinet for approval suggesting the removal of the option for flexibility to be negotiated with developers, in order to safeguard officers over the transparency and consistency of developments (as set out in paragraph 4.7 of the report).

387 Petitions

Discussion:

The committee considered whether petitions received by the council for planning applications should be included within the report, this was on the basis that Members were unable to comment and respond to them as they were dealt with under planning legislation.

Decision:

The committee:

- (a) noted the petition response and appropriate officer action in paragraph 3 of the report;
- (b) requested that petitions received for planning applications were no longer to be listed in this report in the future.

388 Work Programme

Discussion:

The Democratic Services Officer introduced the report and advised that the committee was asked to defer two items from the 13 December meeting until the meeting on 31 January 2012. The committee was also asked to consider whether it wished to add any of the new items on the Cabinet's Forward Plan to the work programme, as set out in paragraph 4.1 of the report.

Officers also advised that the Business Support Overview and Scrutiny Committee had referred the decision of which topic should be taken forward as the third in-depth review for 2011-2012 back to this committee.

The Chairman advised that he had received a request from two members of the public asking the committee to undertake a scrutiny review on safety and mechanisms designed to protect local communities and the environment against major accidents. Members discussed this request and agreed that a great deal of work and discussion had already taken place on the two topics included in the report and that one of these should be the in-depth review for the forthcoming year.

Decision:

The committee agreed:

- (a) to defer the reports on Kent Fire & Rescue Service – update and the Probation Service – prevention of future generations offending until 31 January 2012;
- (b) that the third topic for in-depth review for 2011-2012 would be 'De-cluttering Town Centres' and requested that officers notify the Business Support Overview and Scrutiny Committee of this decision.

Chairman

Date:

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